IFW 1648

COMMISSIONER FOR Patents
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Appl. 10/505,353 (PCT/EP02/02302)
DR. Y. ZAGYANSKY, Entraide, 22 rue Ste Marthe, 75010 Paris France

To stop immediately Atrocious Crimes against Humanity, please! To stop sure falsifications! Appl. "End of AIDS for general Virology, based on profound science: safe vaccines, universal antimicrobial means, mad cow end" N°10/505,353 (PCT/EP02/02302), Art Unit 1648. Conf. N° 2545.

Mr. Jon Dudas (personally), Under Secretary of Commerce for Intellectual Property and Director of USPTO.

[Copies to Dr.John Doll (Commissioner for Patents), Margaret Focarino (Deputy Commissioner for Patent Operations), Jay Lucas (Deputy Commissioner for Patent Examination and PCT cooperation)]. Paris, 11th July 2006.

USPTO, P.O. Box 1450, Virginia 22313-1450, Alexandria Virginia USA

From Dr.Y.Zagyansky, Entraide, 22 rue Ste Marthe 75010 Paris France

Dear High Responsible of Government! Without any law (except famous Jungles with Witches) and Right (except right of Tyrants in such Tyrannosaury), Examiners of Governmental USPTO can certainly write, rob and ravage "what they want" by name of Technically prestigious "Civilization" with USPTO but without stopping even in front of sure Crime against Humanity.

§1. To avoid the concrete and answer of ISA. After certain ***concrete*** (concrete) defeate, logically TransTotalitarian professional specialists of Demagoguery logically surely hurry to change radically and completely the subject of concrete discussion for open collection of nonconcrete false declarations and slogans. European Patent Office (EPO), yet as sure ISA too, does not answer (and cannot, normally!) for their concrete intentional crimes with falsifications already during 8 months (???) (see text of my answer to EPO in my last letter to USPTO of 04/20/2006) in Register: http://pair-direct.uspto.gov). So according to law, I asked "to suspend action" for 6 months to wait determining answer of ISA. But my received Fax ("OK") of 11/28/2005 (see proofs in my letter of 04/20/2006) was ignored (and it is not in Register neither- see also, for comparison, intentional criminal proven falsification of real reading of the text of Application that is a priori impossible with such proven noncompetence- §2). However, the parallel Fax from the same Machine and at similar time is in Register (US 10/508,967). So logically, Transtotalitarianism wanted to ignore impossible answer of EPO for concrete intentional crimes.

§2. Historical chance against complete criminal Demagoguery: Examiners did not read Application and COULD NOT read because of proven unqualified level.

And at elementary grotesque, USPTO Examiner (letter received only 04/18/2006 with proofs) wrote letter of outstanding primitive demagoguery and clearly contradictable falseness

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without any obligatory concrete discussions and corrections. It is impossible excess of Power of intentional undiscussible arbitrary.

De facto, in knowing own absence of any serious possibility for reading and understanding (see below), it is intentional crime to write: all "claims 1-12 (it means all invention) are rejected.. as containing subject matter which are not described in the specification". And such unlegal global Declarations without concrete discussion but from one of the most prestigious Authority of Governmental US Patent Office had to destroy any answer, because de facto, "normally" this had to be supreme order to all employees of USPTO without any discussion and corrections again.

And only due to superchance, "Their Majesties" gave however one "entire"! example (as OverLord's chance for even provability of real arrogant Crime against Humanity without borders) and.. it is already more than sufficient certainly to accuse them: it was demonstratively manifestly unskilled men and all written by such men must be also purest intentional falsifications with open 100% Crime against Humanity. "Examiners" wrote: "An example of some unclear, inexact or verbose terms used in the specification are (sole "example" and with "are"??): "It is proved that it is only the moving macrophages that are contaminated during movement". It is not clear what is meant by: "only the moving macrophages" because macrophages are in the circulating blood and are always moving".

De facto it is exemplary nonsense. In taking, from Fundamental Internet "Web of Science" with ALL best World professional literature for many years, only articles (always professional, specialized), which only sole contain even titles with the same (so called "unclear, inexact or verbose terms"): "moving or migrating macrophages or lymphocytes or monocytes", one shall see 10 professional articles (see copy) of specialists (all with YZ sense) as "Localization of.. proteins in **moving macrophages**" from Stanford University in Mol.Biol.Cell 7, 2204 (1996). It is already de facto 100% nonsense of USPTO unskilled 1st "Examiner". In taking any presence in Abstract of words: "(macrophage or lymphocyte or monocyte) and (moving and migrating)", one has 944 results!, wherein I saw only the same YZ result! It is already **de facto** 100%!

But it goes much farer. The macrophages in noncirculating (of course) tissue are not always moving, evidently. So words of "Examiner": "macrophages... are always moving" are complete nonsense, because "Examiner" simply does not know the too elementary: macrophages (leukocytes) can move into tissue from bloodstream.

It clearly proves that such "Examiner" does not know at all Molecular and Cellular Biology and Immunology wherein "The migration of white blood cells out of bloodstream (justly this

case) into sites of infection" (text even from Fig.24-15) is known from elementary Manual N°1 for students [Alberts B (President of US Acad. Sci) et al "Molecular Biology of Cell"] (or also classical student Manual "Cellular and Molecular Immunology" Abbas AK, p.255). But even nowadays **students** in Molecular and Cellular Biology and Immunology, all, know that macrophages traverse the walls of blood vessels for sites of infection. It is incredible revelation of absolute noncompetence of unskilled old fashion Examiner, level of which could choose and find only such **sole** obstacle of **real** de facto "understudent"unqualification to cancel by demagogy and unlimited special unpunishable power even grandiose series of discoveries of XXII century without any concrete discussion. **ANYWAY IT IS ALREADY DONE FOREVER: Examiners without sure possibility of reading with understanding the text (due to sure proven already noncompetence) made Crime against Humanity a priori!**

Moreover, all proofs of 101 pages of my very fundamental work with about 900! References (with the same terms!) for experimental works (Precedent Art) were done with means of such Molecular and Cellular Biology and Immunology that "Examiner" did not know at all and he must be like clinician of Medicine with surely very old scientific medical bases of 40 years old. It is not "error" of Examiner! It is not to know real: 2 x 2 = 4 and to pretend to teach "Differential Equations" with Crime against Humanity, knowing that "Examiner" even cannot read them!

§3. Of course, after certain proving that "Examiner" has surely uncompetent level in field and consequently could not even read the text of Application, all letter, written by such completely exterior to Application man, is UNLEGAL and nonsense a priori. **It means: it is surely de facto imagined and in POLITICAL purposes (and what else?).** Moreover, it is man under sure PENAL grave accusation! But I shall answer however, although USPTO demonstrated de facto (§2) a priori criminal task to cut invention anyway by any means.

§4. Concerning phrase "full, clear, concise and exact terms" in this published by USPTO Application. Certainly, I used English terms of 900 References of best World literature that "Examiner" certainly did not read at all neither. How can he know! As "moving macrophages"? Moreover in front of, even uneducated in field Examiner, there is the professional (YZ) with PhD ("Associated Research Scientist" in best USA Johns Hopkins University) and works in best World Schools with best Scientists of the World in this large domain.

And opinions of best Scientists (even of nonUK-US origins) confirm it, wherein even the best World Professors of best Universities (in field) feel themselves so inferior, that they

wrote that they cannot criticise so high level of even small old part of this invention. One philosopher-peasant, after reading moving Bible, who want to teach James Watson of XXII? Terrible Inquisition did it much better and Process of Jeanne d'Arc was perfection in comparison and without Crime against Humanity. Such Examiner could not see even lapses in fearing to be concretely caught! How non-English speaking (from Holland) Experimented EPO Examiner Capostango could do complete exemplary Search for invention of 60 pages in Theoretical Physics, moreover of impertinent "End of Einstein-Bohr Physics.." (PCT/IB00/00843) wherein I do not have PhD and did not work directly. Even this invention had perfectly clear terms to execute so Revolutionary Invention de facto! It is even vulgar a priori. At such a priori GROTESQUE situation, Examiner, obligingly according to law, had to show each concrete case (unexisting of course, except fantastical "movement of macrophages"). Best Professors of the World, **each** Nobel Winner must spend at least 6 months to realize really this work of XXII century (In re-phrasing words of Prof.Zagury- Paris V). Even real but Concentrated Summary of this Invention took 7 pages. It is fantastical improvement of Basic Science with its New type Applications which such Examiner would not really realize even during all his life.

By the way, I thank very much the Examiner for insistent estimation of my English, wherein he insistently invite me to have USPTO Information about Application by telephone, orally.

§5. Title of Invention. I gave very descriptive (although LONG) title describing directly (outstandingly) main claims: 1,2,3,4,5,6,7,8,9! This has really perfect sense (to read about main sense too): "between Scilla and Cariddi". It looks as unread joke, naturally.

§6. **Claims.** A). Practical therapeutic claims. Oppositely: it moved! Claims are developed specially with inventiveness by author in perfect manner (that must be largely known to Applicants by "Guidelines" as examples, as matrices). Formulation of all practical therapeutic claims is taken from "PCT Guidelines" (similar to "EPO Guidelines") (§5.21- "PCT Guidelines"; §CIV-4.2 and BVIII-2- "EPO Guidelines" -here) governing USPTO International Search (too) as well the same (as mine) EPO International Search for USPTO too (see "Guide" PCT-EPO wherein sole difference in "business methods" is specially underlined). One can easily find such formulations in US Patents: 6274747 "A compound according to any one of claims 1-6, for manufacture of a medicament for the treatment of cancer"; 5965625; 6194411; 6465509; 6214851; 5939412; 6630510 etc etc.

But there is the important nuance here. Therapeutic processes are not patented (substances that are used in therapeutic processes are patented). But Search for novelty and inventiveness

must be done for therapeutic process! [It is perfectly written in Art.52(4) EPO, done specially with References ("28")- see here]. So for perfect clearness (although professional Examiners must know it), I even perfectly cited this Article in claims (never seen!). And even in such fantastical matrix (to copy for Guidelines) EPO made (logically 100% expressively) elementary Search in wrong direction. It is too direct and evident. But elementary EPO answer lasts already 8 months!!! This is logical reason to avoid ISA-EPO Determining normal answer. Such specially nonconcrete demagogy of unread noncompetent "Examiner" of USPTO confirms again the Plot. So it is complete absurd. **Nobody could yet do better!**

B). Theoretical basic claims. (see also §9.05 "PCT Guidelines" here). Only for theoretical basic claims, I used (and used always) the formulation proposed by Rule 6.3(b) PCT: "characterized by", although even the "two-part formulation" is not obligatory, but only "whenever appropriate" [Rule 6.3(b) PCT].

Such formulations (even in worse form of my initial Applications) were never criticized at Searches [US 096537 (7/12/88); EP0347536; WO00/52989- perfect exemplary complete Search-see copy here; WO02/051233- this Application; WO03/084301]. Moreover, I specially took as best formulation for basic claims: "is characterized by following characteristics (= technical features!)", because it is "technical features (characteristics)" "which are necessary for definition of claimed subject matter" according to Legislation! So it is again perfect, for "Guidelines" too! Usual sure pretext was "scientific theories" and "therapies". Now it is surely, formally simply became null and void (see answer to ISA-EPO), so in 1st time, even UNREAD (although special) Examiner of USPTO tries to find something else, that he cannot pretend at all (completely without real reading, "Examiner" do not know at all "whenever appropriate" and "whenever nonappropriate"). So such special Examiner wrote about claims as with SURE imagination about Application that he could not read really.

Simple viewing of US delivered Patents confirms the same purpose as at sure falsification of real reading. For instance, Patent N°6813987 makes super-long and (without comparison with me) super-complex Claim 1 (see here) with the same words: "characterized by following characteristics: a) the senior piston is in the form of...; b) the control jacket is in...". It is justly perfectly the same structure as in my case of theoretical basic claims with such sentences at numbering. And these claims were written in English by specialized Chief of US Attorney Firm who assisted 532 US Patents! It is naïve to judge **him** so severely! Have pity for specialized, experimented **USPTO** qualified attorney firms, please! One can easily see other analogous numberings with (often) more complex separate sentences with professional US agent firms: 7037697; 7057266; 6685593; 6677054; 6574018; 6372324; 5597612;

5593869; 5097526; 5041534; 4715358; 4398518; 4387686; 418544; RE29152. It could be thousands of such never forbidden claims made by **USPTO** professional attorney Firms. So we clearly see new "movement of macrophages" of certainly special Examiner only for cutting.

§7. Natural carrying out of invention. It is Emotionally naïve too! It is clearly written in Resume (p.2) (sent to USPTO too) of my answer to EPO: "In taking "general (for all field) therapeutic purpose", practical therapeutic processes (nonpatentable themselves) became too simple wording consequences of grandiose correct proven scientific theory as really only: "Let's use it against such or such disease", moreover with ready clichés of claims from Legislation (that were even Searched by EPO: claim 3 and 11).

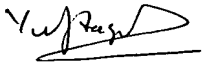
I repeat: to read finally. Such Historical usurpation was never happen in History of Sciences. Great principally new and inventive Science of next centuries, using very different global subfields, gave THE excellent, definitively proving, convergence with all established experimental results, because all Sciences of Life and Medicine are based on sole cell finally-2.5 milliard years of evolution to create). [It was titanic basis: 900 Refs (Precedent Art) plus thousands of Experimental References of my previous basic patent publications with 300 pages too]. In particular, there are discovered living processes as bases used by terrible ravages as at AIDS and Mad Cow. But for practical use of "general therapeutic purpose", it is really sufficient only to claim: "Let's use it against such or such disease!"

There is complete absence of reading proving demonstration TO CUT by anyway, even by **imagination of surely nonread unskilled** "Examiner"**!!!** It is really (again so evident) as Jungles of Witches. Examiner does not deny the perfectly developed Science (named de facto as "**scientific** theories", precise and solid, by determining ISA-EPO): there is no any contestation. But Examiner denies really unread sense of terms with which such incredible science was developed. (The rest is "Let's take it against such or such disease": to read the evident with details in my answer to determining ISA-EPO and perfection of §6a). I translate: one can have Nobel Prizes for results, but powerful Jungles of Witches (like) deny the terms of HIGH professional specialist (who took them from References), with which such results were described (without reading Application and References). Like all is possible is US Governmental Offices, even demonstrative a priori unpunishable assassinations (as Masters of Universe) of millions of victims of AIDS.

§8. Again intentionally (in spite of numerous remindings) USPTO does not answer for §5 of even Initial Covering letter about obligatory USPTO registered letter before final "Notice of Abandonment". Too strange delay of USPTO letter received after 04/18/06.

A large number of my important paid Applications were logically, analogically, again CUT with "Notice of Abandonment" that I did not answer for letter (with date) that I never received. And to obtain such letter (for instance in 1988 yet, even after perfect Search) was impossible: they simply do not answer as again in Jungles of Witches. It looked again as Their Campfs (Struggle). But recently with new means of information in Internets, I could estimate that surely USPTO, before such Notice, must send registered (as in Civilization with proofs) letter. So after such Information, in advance of such possible Campf, I asked USPTO to confirm directly about registered letter [because it not so clearly directly written (it should be only logically) and justly could be used as such]. The §5 of Initial Covering letter (08/11/2004): "In view of very special "strange" course of my Applications, I must ask here very important question about "Notice of Abandonment". In US Law, concerning "Certificat of mailing or transmission" (37CRF §1.8, §512 MPEP) there is no mention about, even declaration, FOR nonreceiving of **USPTO** letters (ONLY of USPTO letters!), but only text about Certificate of mailing or transmission of Applicant letter. Does it mean that USPTO finally sends the registered letter wherein USPTO is sure about their receiving by Applicant and such Declaration (for nonreceiving of USPTO letter) is not needed consequently? Thank you very much for forward explanation of this TOO important information. The heavy common truth is coming from Governmental Office? Thank you very much (only due to Internet making USPTO men) for very net coming." In spite of my systematic remindings, unlegally, selectively, there were no answer. **Is it not Totalitarianism to avoid information about legal responsibility for all such unlegally (logically) CUT expensive (and very Medicinal) Applications?** By name of presence of law (with also revelation of logical previous series of formal crimes), I ask to confirm directly the obligation of USPTO's registered letter before such Notice. Thanks a lot.

In similar connection with the openly unlegal (see all above), I received important letter of USPTO after 04/18/06 without stamps of any post. But inside there was the letter of 01/27/06! Fortunately, there was **SOLE** stamp of "Entraide", that they stamp **always IMMEDIATELY, IN ADVANCE** (proof of 100%) at receiving of ALL letters from State Post. I transmit you here the stamped confirmation of "Entraide" that I received such large envelope (with your stamp) after 04/18/06 that they received, at 04/18/06, this letter from State Post. Moreover, I swear here under honour that I received this letter after 04/18/06. So I am sending the answer in 3 months although this letter is a priori the fruit of imagination of man under grave penal accusation and it is surely unlegal.



§9. Letter-accusation of Governmental USPTO in Crime against Humanity to Supreme Court of USA. Because of logically proven open intentional heavy crime against Humanity, I am sending, at the same time, the accusation in Supreme Court of USA against Crime already made forever (see copy without article entitled: "To stop tragedy Human at Horror of well underestimated Pandemic: all searched means against AIDS are scientific nonsense, except sole basic ignored solution". Titles of other articles that will be sent together to Prof.Mathé's Journal are: "Antiretroviral Therapy- "HAART" must signify highly active ART to kill and has to be stopped immediately: evident proofs" and "Errors in classic of Heart of Immunology: completely erroneous general structure of main receptors and Principal Scheme of Immunology" (necessary basic basis).

§10. Preparations against Mad Cow of this Application were stolen by US Government (as well UK and France)? It really appears that preparations against Mad Cow were stolen by above governments justly after publication of this Application in 2002-2003. Large fines must be paid in the case of confirmation. So such so primitive grotesque could permit to avoid such fines. (See my letter-Accusation to Supreme Court, wherein I shall send more detailed information at very soon sending of much more available data in Europe in European Court).

Very Sincerely Dr.Y. Zagyansky. Y.Zagyansky **Supplements:**

1. Proofs with stamp of "Entraide" that I received letter of USPTO after 04/18/2006.
2. Copy of titles of 10 articles (from "Web of Science") using term "moving macrophages"- YZ's sense.
3. p.1373 of book "Mol.Biol. of Cell" and p.255 of Book "Cellular and Molecular Immunology".
4. Complete **Exemplary** EPO Search of Mr.Capostango (NL) (PCT/IB00/00843 –"End of Einstein-Bohr Physics…"!).
5. Copy of PCT Guidelines §5.21 and EPO Guidelines §CIV-4.2, BVIII-2: **one see the equivalence of even different formulations.**
6. "Guide of PCT" p.EP-D: EPO makes (the same essential laws!) International Search for USPTO except ONLY (ONLY!) "business methods".
7. Art.52(4) EPO with Refs."28"- G 1/83.
8. §9.05 "PCT Guidelines": with obligatory Search "if the (scientific) theories are applied or implemented to produce a practical application".
9. Claim 1 of US68131987 written by qualified experimented USPTO Attorney firm.
10. Letter-Accusation in Crime against Humanity of USPTO to Supreme Court.

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Suppl. 1 (TO USPTO)

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